

A bill for an act
relating to courts; providing for conciliation court alternative dispute resolution
programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **CONCILIATION COURT ALTERNATIVE DISPUTE RESOLUTION
PROGRAMS.**

Subdivision 1. **Programs.** (a) From July 1, 2009, through June 30, 2013, the Rice
County District Court may expand its current Rice County dispute resolution program
that provides alternative dispute resolution services for conciliation court claims through
the southern Minnesota alternative dispute resolution program. If Rice County District
Court expands its program, hearings under the jurisdiction of its conciliation court shall
be suspended for the duration of the program. All claims under the jurisdiction of its
conciliation court according to Minnesota Statutes, section 491A.01, shall be diverted
to the program.

(b) From September 1, 2009, through June 30, 2013, the Olmsted County District
Court may provide alternative dispute resolution services for conciliation court claims
through a mediation and conflict solutions program developed in consultation with the
southern Minnesota alternative dispute resolution program. If Olmsted County District
Court develops a program, hearings under the jurisdiction of its conciliation court shall
be suspended for the duration of the program. All claims under the jurisdiction of its
conciliation court according to Minnesota Statutes, section 491A.01, shall be diverted
to the program.

Subd. 2. **Policies.** Administrators of a program initiated under subdivision 1, in consultation with the appropriate district court administrators, shall develop policies and forms to implement that district's program including, at least:

(1) the forms and procedures necessary for an individual to bring a case to the program;

(2) informational materials regarding the procedures;

(3) the right to appeal de novo to district court;

(4) a fee of up to \$75 to file a claim or counterclaim in an action and a fee waiver for a party according to the county conciliation court guidelines;

(5) minimum training of 30 hours as a qualified neutral and six hours in conciliation expediting as certified by the Minnesota Supreme Court for conciliation and default expeditors;

(6) a Minnesota senior judge to review and comment on how cases are handled in the program; and

(7) retention of records in compliance with guidelines established by the Minnesota Supreme Court.

Subd. 3. **Immunity.** Conciliation expeditors, default expeditors, and mediators shall be immune from civil liability for action taken or not taken when acting under this program.

Subd. 4. **No state funding.** The state may not appropriate money for this program.

Subd. 5. **Report.** By September 15, 2013, the programs and district court administrators in Rice and Olmsted Counties shall submit a report to the state court administrator and the house of representatives and senate committees having jurisdiction over the judiciary describing and analyzing the results of the program, including at least party satisfaction, number of cases, number of cases expedited, number of cases filed, results of cases filed, and number of cases mediated.

Subd. 6. **Expiration.** This section expires upon submission of the report to the legislature.

EFFECTIVE DATE. This section is effective July 1, 2009.